IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 1415 of 2005

Between:

1. Vemasani Sivarama Naidu, S/o. Ramanaidu,
   R/o. of Acharlaparlapalli (V) Ozili Mandal, Nellore District.
2. Vemasani Changaiah Naidu, S/o. Lakshum Naidu,
   R/o. of Acharlaparlapalli (V) Ozili Mandal, Nellore District.
3. Kasumarthi Chandramouli Naidu, S/o. Chinna Subba Naidu,
   R/o. of Acharlaparlapalli (V) Ozili Mandal, Nellore District.
4. Pemmasani Syamalmma, W/o. Sukumar,
   R/o. Thiruttani, Thiruvalluru Post, Chennai.
5. Kasumarthi Venkatasubba Naidu, S/o. China Subba Naidu,
   R/o. of Acharlaparlapalli (V) Ozili Mandal, Nellore District.

..... PETITIONERS

AND

1. The District Collector, Nellore District, Nellore.
2. The Joint Collector, Nellore District.

2. The Revenue Divisional Officer, Gudur, Nellore District.
3. The Mandal Revenue Officer, Ozili (Mandal), Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, direction, order or orders more particularly one in the nature of *Writ of Mandamus* declaring the action of the respondents in preventing the petitioners from lifting the water from their own wells situated in Sy.Nos.43/2 & 43/3 of Acharlaparlapalli Village, Ozili (M), Nellore District is illegal, arbitrary, mala fide,

without authority or power, contrary to Articles 14, 19(1)(g) and 21 of the Constitution of India and violation of principles of natural justice and consequentially direct the respondents not to interfere with the drawing of the water by us from our own wells in the interest of justice.

Counsel for the Petitioner: MR.A.CHANDRAIH NAIDU

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

The writ petition is filed for declaring the action of the respondents in preventing the petitioners from lifting the water from their own wells situated in Survey Nos.43/2 & 43/3 of Acharlaparlapalli village, Ozili Mandal, Nellore District, as illegal and arbitrary.

2. When the matter is taken up for admission, the learned Government Pleader for Revenue submitted that the Joint Collector, Nellore District has passed an order dated 15.6.2005 in favour of the petitioners. Therefore, no orders are required in this writ petition.

3. In the light of the submission made by the Government Pleader, no orders are required in this writ petition.

4. Accordingly, the writ petition is closed. No order as to costs.

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(ELIPE DHARMA RAO, J)

Date: 16.06.2005

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The District Collector, Nellore District, Nellore.
2. The Joint Collector, Nellore District.

2. The Revenue Divisional Officer, Gudur, Nellore District.
3. The Mandal Revenue Officer, Ozili (Mandal), Nellore District.

5. Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

6 2 CD copies

7. 1 CC to MR.CHANDRAIH NAIDU

*Form-NIC-OGS/WP{**JGK**}*